

FOR BENEFITS WHICH WOULD HAVE OTHERWISE BEEN PAYABLE UNDER THIS SECTION IF TERMINATION IS:

- (I) MADE IN GOOD FAITH;
- (II) REASONABLE UNDER THE CIRCUMSTANCES; AND
- (III) NOT THE RESULT OF A MUTUAL OR MATERIAL MISTAKE OF FACT.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, RECEIPT BY THE EMPLOYER OF THE TERMINATION STATEMENT SHALL BE CONCLUSIVE EVIDENCE OF TERMINATION AND NEITHER THE EMPLOYER OR INSURER SHALL BE LIABLE TO THE QUALIFIED SECONDARY BENEFICIARY OF THE INSURED FOR BENEFITS WHICH WOULD HAVE OTHERWISE BEEN PAYABLE UNDER THIS SECTION.

(H) ~~THE OBLIGATIONS--OF--THE--INSURED--TO--THE--QUALIFIED SECONDARY--BENEFICIARY--UNDER--THIS--SECTION--ARE--SUBJECT--TO MODIFICATION-OR-NULLIFICATION-IF-ORDERED-BY--A~~ ADDITIONAL COSTS PAYABLE BY THE INSURED UNDER SUBSECTION (E) OF THIS SECTION MAY BE ALLOCATED BETWEEN THE INSURED AND A QUALIFIED SECONDARY BENEFICIARY BY REASON OF HAVING BEEN THE INSURED'S SPOUSE OR MAY BE REIMBURSED IN FULL TO THE INSURED BY SUCH QUALIFIED SECONDARY BENEFICIARY BY AGREEMENT BETWEEN THE PARTIES OR, AS EQUITY MAY REQUIRE, BY ORDER OF THE COURT UNDER TITLE 10, TITLE 11, OR TITLE 12 OF THE FAMILY LAW ARTICLE AT THE TIME OF THE APPLICABLE CHANGE IN STATUS OR THEREAFTER.

(I) THE COMMISSIONER SHALL:

(1) PUBLISH AT LEAST ONCE ANNUALLY IN THE MARYLAND REGISTER AND IN A NEWSPAPER OF GENERAL CIRCULATION IN EACH OF THE COUNTIES OF THE STATE AND BALTIMORE CITY NOTICE APPRISING THE PUBLIC OF THE COVERAGE REQUIRED UNDER THIS SECTION;

(2) BY REGULATION PRESCRIBE THE FORM AND CONTENT OF THE TERMINATION STATEMENT; AND

(3) MAKE TERMINATION STATEMENT FORMS AVAILABLE TO EVERY EMPLOYER WHOSE EMPLOYEES ARE COVERED BY A GROUP CONTRACT.

(J) NOTHING IN THIS SECTION SHALL AFFECT OR IN ANY WAY LIMIT A QUALIFIED SECONDARY BENEFICIARY'S RIGHT TO CONVERSION PRIVILEGES UNDER A GROUP CONTRACT.

Article - Health - General

19-703.

(D) HEALTH MAINTENANCE ORGANIZATIONS SHALL PROVIDE COVERAGE REQUIRED UNDER ARTICLE 48A, § 490G OF THE CODE.